IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

CRIMINAL APPEAL No. 168 of 2007
(Old No. 2073 of 1986)

Krishna Lal S/o Sri Bal Mukund,
R/o 11, Tyagi Road, Dehradun,
P.S. Kotwali, District Dehradun.

.... Appellant

Versus

The State

... Respondent

Dated: 16th August 2007

Sri S.S. Tyagi, learned counsel for the appellant
Sri M.S. Khan, learned brief holder for the State

HON. DHARAM VEER, J.

This appeal, preferred u/s 374(2) of Code of Criminal Procedure, 1973 (*hereinafter to be referred as Cr.P.C.*) against the judgment and order dated 29.07.1986 passed by Special Judge (E.C.Act), Dehradun State Vs. Krishan Lal, whereby the Special Judge has convicted the appellant u/s 3/7 Essential Commodities Act, 1955 and awarded sentence for one year R.I. and Rs. 1,000/-fine on the first charge and in default to undergo further imprisonment for three months. The appellant was further sentenced to two years R.I. and fine of Rs.5,000/- on second count and in case of default to undergo further imprisonment for six months R.I. Both the sentences were directed to run concurrently.

This appeal has been transferred to this Court from the Allahabad High Court under Section 35(2) of U.P. Reorganization Act, 2000. After the transfer of the appeal, the notice was issued to the appellant on 18.06.2007. In compliance of the said notice, C.J.M., Dehradun vide his

report dated 04.7.2007 has informed this Court that present appellant Krishan Lal has died on 20.10.2002.

In view of the fact that the sole appellant Krishan Lal had died, the appeal preferred by the appellant Krishan Lal stands abated.

(Dharam Veer, J.)

Rajeev Dang